Mix blood Utes denied damages appeal

The Supreme Court Monday killed the apparent last hope for success a Utah group of mixed-blood Ute Indians held in a lawsuit seeking damages from the federal government.

The justices refused to hear an appeal by the Affiliated Ute Citizens, a Utah Association, aimed at keeping alive the members' claims over land, cash and mineral rights against the United States.

The U.S. Court of Claims last October ruled that the association was barred from filing the lawsuit because it had waited too long after the government's alleged wrongdoing.

Monday's action left intact the lower court's decision that a six-year "statute of limitations" had run out and therefore barred any lawsuit by the mixed-blood Utes.

President Abraham Lincoln in 1861 set apart a 2.4 million acre reservation for the Ute Indians in the Uintah Valley of Utah.

The Ute interest in the reservation was depleted by various government actions over the next century until 1954 the tribal reservation contained 808,000 acres of "fee land" and 428,000 acres of mineral rights.

In 1954, Congress passed the Ute Termination Act which divided the tribe into two groups - "full-bloods" and "Mixed-bloods."

By virtue of the act, mixed-blood members of the tribe were to have their legal status as Indians terminated and be given their pro-rata share of all assets. They then would become regular citizens of the state.

The act's purpose was finalized in 1961 by the Ute Termination Proclamation.